IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5239 OF 2004

Smt.Vishakha @ Naina D. Gurbani ...Applicant
vs.
State of Maharashtra & Anr. ...Respondents

Mr.D.S.Joshi h/f Mr.Indrajeet Kulkarni for the Applicant
Mr.R.Y.Mirza, A.P.P. for State
Mr.S.P.Kanuga for Respondent No.2

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 12,2005

P.C.:

1. Heard Advocate for the Applicant, learned A.P.P. for State and learned Counsel for the Respondent No.2. Prayer in this application is for transfer of the private complaint filed by the Respondent No.2 against the Applicant in the Court of Judicial Magistrate (F.C.) at Solapur. Transfer is sought on the ground that a private complaint filed by the Applicant is pending in the Court of Judicial Magistrate (F.C.) at Ulhasnagar in which the Respondent No.2 is an accused. It is submitted that the Respondent No.2 is regularly attending to the said complaint at Ulhasnagar and therefore, the private complaint filed by the Respondent No.2 should be transferred to the Court at Ulhasnagar.

2. It is brought to my notice that the Respondent No.2 has cited as many as eight witnesses in her private complaint filed at Solapaur. Out of eight witnesses, seven are the residents of Solapur. In view of this position, no case is

made out for transfer and the application is rejected.

JUDGE

JUDGE